



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**ZONING COMMISSION**  
www.danbury-ct.gov

(203) 797-4525  
(203) 797-4586 (FAX)

**MINUTES**  
**MAY 11, 2021**

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The regular meeting was called to order by Chairman Theodore Haddad Jr. at 7:30 PM.

Present were Sidney Almeida, Candace Fay, Theodore Haddad Jr., Ryan Hawley, Angela Hylenski, Michael Masi, Robert Melillo, and Alternates Jason Eriquez and Nelson Merchan Jr. Also present was Planning Director Sharon Calitro.

Absent were Rick P. Jowdy, James Kelly, and Alternate Thomas Nejame.

Chairman Haddad asked Mr. Eriquez to take Mr. Kelly's place and Mr. Merchan to take Mr. Jowdy's place for the items on tonight's agenda.

Mr. Melillo led the Commission in the Pledge of Allegiance.

Mr. Almeida made a motion to accept the April 27, 2021 minutes. Mr. Masi seconded the motion and it was passed unanimously by voice vote.

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Chairman Haddad read the legal notice for all three public hearings.

**PUBLIC HEARINGS**

Petition of SC Ridge Owner LLC to Amend Sections 4.H.2.b.(2)(a) & 4.H.2.b.(3)(b) of the Zoning Regulations. (Amend PND Zone).

Chairman Haddad read the Planning Commission recommendation, which was positive and the WestCOG report which said *"The opinion of WestCOG staff is that this proposal is of local interest and with minimal intermunicipal impact. Therefore it is not being forwarded to adjacent municipalities and the regional staff is making no comment"*. Mrs. Calitro read the Planning Department staff report dated April 15, 2021.

Attorney Tom Beecher spoke in favor of this petition. He said with him this evening are Anthony Rizzo Jr. and Michael Basile. He said this request consists of three amendments. The first is to increase the maximum allowable non-residential square footage from 75% to 85% of the existing building gross floor area in the case of the retrofit of an existing building. The second amendment allows for the reduction in the required total number of dwelling units from 250 to 175 units in a PND under the retrofit alternative and within the existing building if a portion of the building is to be occupied by a public

school owned and operated by the City of Danbury. The third amendment is to allow for the exclusion of the floor area of kindergarten, elementary, or secondary schools owned and operated by the City of Danbury from the calculation of the total maximum non-residential square footage allowed in a PND Zone. He said these amendments are consistent with the Plan of Conservation & Development for several reasons. They will help with the redevelopment and retrofitting of an existing building on the west side of the City. The POCD also suggests that creativity be used in the design of the neighborhoods on the west side and the proposed Danbury Career Academy being included in the redevelopment is a creative concept. 'He added that this change will allow both public and private schools to be included in any PND, but this specific proposal comes from a collaborative effort to address the need for additional school space in the City. He explained that changing the maximum allowable non-residential square footage would compensate for the space that is necessary for building operations but is not useable space by tenants. Lastly he said reducing the minimum number of dwelling units required because a public school is proposed and eliminating this school from the non-residential area calculation is an incentive for the developers. He said these amendments meet the intent of the PND zone and the proposed public school will be beneficial for the residents of the City.

Also speaking in favor of this petition was City Councilman Paul Rotello, 13 Linden Pl., said he is a resident as well as being a Councilman for the sixth ward. He said supports this petition because it is good for the residents of the City and he hopes everything goes forward as presented with this project. .

Chairman Haddad asked if there was anyone to speak in opposition to this and there was no one. He then asked Mrs. Calitro if she had any additional staff comments on this petition. Mrs. Calitro said her staff report covers everything.

Mr. Melillo made a motion to close the public hearing. Mr. Almeida seconded the motion and it was passed unanimously by voice vote with nine ayes.

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Petition of SC Ridge Owner LLC to Amend the Master Plan for The Summit (approved June 23, 2020).

Chairman Haddad read the Planning Commission recommendation, which was positive and the WestCOG report which said *"The opinion of WestCOG staff is that this proposal is of local interest and with minimal intermunicipal impact. Therefore it is not being forwarded to adjacent municipalities and the regional staff is making no comment"*. Mrs. Calitro read the Planning Department staff report dated April 15, 2021.

Attorney Tom Beecher also spoke in favor of this petition. He said this proposal consists of two parts. The first is a request to increase the non-residential square footage to the maximum allowed under the PND Regulations. The second is to set minimum and maximum non-residential use category limits to allow flexibility within the existing building. He said these would allow them the ability to address the changing space needs of the tenants without having to amend the Master Plan for each individual

change. He said City staff would monitor the amounts under each category as part of the administrative site plan reviews. He added that this is how other buildings with multiple use tenants are handled in the City. He said these amendments are consistent with the reasons this site was rezoned to PND and will not change the Master Plan as approved. There were no questions from the Commission. Chairman Haddad complimented both Attorney Beecher and Mrs. Calitro for making this so clear.

Chairman Haddad asked if there was anyone to speak in opposition to this and there was no one. He then asked Mrs. Calitro if she had any additional staff comments on this petition. Mrs. Calitro said her staff report covers everything.

Mr. Melillo made a motion to close the public hearing. Mr. Masi seconded the motion and it was passed unanimously by voice vote with nine ayes. Mr. Melillo made a motion to move this petition and the previous one to items one and two under Old Business. Mr. Masi seconded the motion and it was passed unanimously by voice vote with nine ayes.

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Petition of Quirk Works Brewing and Blendery Inc./Triangle Industries LLC (Property Owner), 78 Triangle Street (J14280) for Special Permit for Brewery in the IL-40 Zone.

Chairman Haddad noted that this type of petition does not require a staff report. Mrs. Calitro read the site plan waiver approval letter which gives the details on this petition.

Attorney Tom Beecher said he is here representing both the applicant and the property owner. He said this is the former site of LoStocco Auto Parts, who have moved across the street to a site they purchased. He said this space will be broken into three spaces with the brewery in the middle and office space on either end. He said this neighborhood is completely industrial with the Rizzo offices being located next door and the Department of Motor Vehicles being across the street. He said there are no churches or schools in the immediate area and there will be no impact on the neighborhood. He said there is one other brewery in Danbury and it is located fairly close to this one so they anticipate them being complimentary to each other. He said the actual brewery space will consist of approximately 2,500 sq.ft. and the tasting room will be 1,100 sq.ft. with 34 seats. The entry doors to the tasting room come from the parking lot and the brewery tasting hours will not overlap with the office tenants. He said the parking and proposed trip generation were reviewed by the Planning Department as part of the site plan waiver approval. He added that both deliveries and product distribution would be done by a van several times per week. He said there will be no detrimental effect on the area. He then introduced the applicant, Rick Cipriani. Mr. Cipriani said he has 24 years experience in the beverage industry. He said his last operation, a brewery with a 200 seat restaurant/banquet facility in New York state was closed due to COVID. He said he plans to brew a simple yet sophisticated product. He chose Danbury because Connecticut is #25 in successful self-distributing breweries. He believes he will be successful because he has gauged the market in the Danbury area. He said there are three parts to why this will work. The first is the quality of the restaurants in Danbury; the second is the size of the retail beverage outlets. The last is the absence of the "weird" craft beers he plans to brew and sell. He said the tasting room is an important

part of the business so people can experience the products. He said in the past he has raised funds for local non-profits and he will continue to do that here. He intends to have 10-15 employees at max, and would like to feature local artist works, such as photography, painting, etc. The hours of operation would be Thursday and Friday from 4 PM to 9 PM, Saturday from 12 noon to 9 PM, and Sunday from 12 noon to 5 PM. He will be closed Mondays and Tuesdays and Wednesday will be determined, as there are always business operations to take care of. There were some questions from the Commission members regarding the sales of product and how people will enter the building to access this business. Someone asked if he will have food trucks on the premises when he is open. Attorney Beecher said in the IL-40 zone that is just about the only way to serve food. It has been considered an accessory use at the other brewery. Mr. Hawley asked if he had plans for outdoor seating and Mr. Cipriani said not at the present time, maybe in the fall. He added that it is a simple state permit to add that. Chairman Haddad asked Mr. Cipriani to clarify how the tasting room works. Mr. Cipriani said people can purchase the products to try them, there are no sample given. He said this is how Charter Oak brewery operates. Attorney Beecher said the tasting room is defined in the Zoning Regulations.

Also speaking in favor of this was City Councilman Duane Perkins, 22 Main St. He said this is not his ward, but he thinks this will be a good thing since it is a manufacturing facility. He said he has visited some of the local breweries and they seem to be doing well. He added that his only concern is that we do not see a proliferation of these popping up all over the place.

Chairman Haddad asked if there was anyone to speak in opposition to this and there was no one.

Attorney Beecher then said the Zoning Regulations were amended to allow this use in IL-40 only. He added that this Commission has to determine if this use will be detrimental to the area; the Zoning Regulations process takes care of the concerns expressed by Mr. Perkins.

Mr. Masi made a motion to close the public hearing. Mr. Almeida seconded the motion and it was passed unanimously by voice vote with nine ayes. Mr. Melillo made a motion to move this to item three under Old Business. Mrs. Hylenski seconded the motion and it was passed unanimously by voice vote with nine ayes.

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#### OLD BUSINESS:

##### Petition of SC Ridge Owner LLC to Amend Sections 4.H.2.b.(2)(a) & 4.H.2.b.(3)(b) of the Zoning Regulations. (Amend PND Zone).

Mr. Melillo made a motion to approve this petition for the following reasons: (1) the amendments are consistent with the Plan Of Conservation & Development; (2) they meet the purpose and intent of the PND Zone, and (3) they will not negatively impact the health, safety and welfare of the general public. Mrs. Hylenski seconded the motion and it was passed unanimously by roll call vote with nine ayes from Mr. Almeida,

Mrs. Fay, Mr. Hawley, Mrs. Hylenski, Mr. Masi, Mr. Melillo, Mr. Eriquez, Mr. Merchan, and Chairman Haddad.

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Petition of SC Ridge Owner LLC to Amend the Master Plan for The Summit (approved June 23, 2020).

Mr. Melillo made a motion to approve this petition for the following reasons: (1) the proposed amendments are consistent with the purpose for which the site was rezoned and the Master Plan approved; (2) they will provide flexibility while maintaining a mixed-use development; and (3) they do not materially alter the Master Plan that was approved last year. Mr. Masi seconded the motion and it was passed unanimously by roll call vote with nine ayes from Mr. Almeida, Mrs. Fay, Mr. Hawley, Mrs. Hylenski, Mr. Masi, Mr. Melillo, Mr. Eriquez, Mr. Merchan, and Chairman Haddad.

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Petition of Quirk Works Brewing and Blendery Inc./Triangle Industries LLC (Property Owner), 78 Triangle Street (J14280) for Special Permit for Brewery in the IL-40 Zone.

Mr. Melillo made a motion to approve this petition for the following reasons: (1) the proximity of such premises will not have a detrimental effect upon any adjacent school, church, or other place of worship; and, (2) the location of such premises will not have a detrimental effect upon the immediate area with due consideration given to: the compatibility and impact of the use on the surrounding area, and the impact upon traffic congestion and safety. Mr. Hawley seconded the motion and it was passed unanimously by roll call vote with nine ayes from Mr. Almeida, Mrs. Fay, Mr. Hawley, Mrs. Hylenski, Mr. Masi, Mr. Melillo, Mr. Eriquez, Mr. Merchan, and Chairman Haddad.

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Chairman Haddad said under Other Matters they are waiting to hear about the status of the Governor's Executive Order regarding virtual meetings. Mrs. Calitro said Executive Order 11 was issued on April 20th and it extends the provision for virtual meetings until May 20, 2021. She said she would let the Commission know if there are changes as soon as she finds out.

Chairman Haddad said there was nothing under Correspondence. He then read the four petitions listed under For Reference Only which are scheduled for May 11, 2021 and May 25, 2021 public hearings.

At 9:25 PM, Mr. Almeida made a motion to adjourn. Mrs. Fay seconded the motion and it was passed unanimously by voice vote.

Respectfully submitted,

JoAnne V. Read  
Planning Assistant